

State of North Dakota
Cass County

District Court
East Central Judicial District

State of North Dakota

Case Number: 09-2015-CR-03688

vs.

Count 1 Criminal Judgment

Clifton Terrell Cannon

Count 2 Criminal Judgment

Fargo, ND, 58103

Count 3 Criminal Judgment

Count 4 Criminal Judgment

Count 5 Criminal Judgment

Defendant was represented by: Greenwood

CASE CHARGES

Ct	Statute	Description	Degree	Amended
1	19-03.1-23	Possession of a Controlled Substance with Intent to Deliver, Heroin.	Felony A	
2	19-03.1-23	Possession of a Controlled Substance with Intent to Deliver Crack-Cocaine	Felony A	
3	19-03.1-23(1)	Possession of a Controlled Substance w/Intent to Deliver	Felony A	
4	19-03.1-22.2	Endangerment Of Child	Felony C	
5	19-03.1-23(7)	Possession Of Controlled Substance	Misdemeanor B	

TERMS OF DISPOSITION: COUNT 1

Sentence Date: 9/6/2016

Offense Information:

Ct	Offense Date	Statute	Description	Degree	Offense Disposition
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1	19-03.1-23	Possession of a Controlled Substance with Intent to Deliver, Heroin.	Felony A	Pled Guilty
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Disposition Details:**Commitments:**

Committed to: Department of Corrections and Rehabilitation
Term: 4 year(s)
First Serve: 2 year(s) balance suspended
Probation: 2 year(s)
Credit for Time Served: 153 day(s)
Concurrent with Case# Counts 2, 3, 4, 5 and 09-2015-CR-619.

Fees:

Criminal Administration Fee	\$900.00
Defense/Facility Admin Fee	\$100.00
Indigent Defense Application Fee	\$35.00

Order of the Court and Conditions:

Defendant is placed under the following conditions:

	Location	End Date	Comment
Obtain Diagnostic Assessment			Obtain a diagnostic assessment through SEHSC or its equivalent and follow through on any recommendations.

Additional Conditions and Order of the Court.

The Defendant will pay the amount assessed by the Court according to the terms established by the Parole/Probation Officer.

The Defendant is placed on supervised probation for a period of 2 years from the later of the following dates: (a) the order imposing probation; (b) release from incarceration; or, (c) termination of Defendant's parole. The Defendant will report to a Parole/Probation Officer with the Parole and Probation Division of the North Dakota Department of Corrections and Rehabilitation. The probationary conditions are either set forth below or in an attached Appendix A or Certificate to this Criminal Judgment.

IT IS FURTHER ORDERED, if the Court ordered a pre-sentence investigation in this case, then the defendant shall pay \$50.00 to the Department of Corrections and Rehabilitation pursuant to N.D.C.C. §12.1-32-02(10).

IT IS FURTHER ORDERED, if the defendant has been convicted after July 31, 2005 of any felony offense, then the defendant shall, as an additional condition of probation and as a separate Order of the Court, at the defendant's cost, submit to testing and provide a sample of blood or other body fluids to the North Dakota Department of Corrections and Rehabilitation or the Cass County Sheriff for DNA law enforcement identification purposes and inclusion in law enforcement identification data bases pursuant to N.D.C.C. ch.31-13, including N.D.C.C. § 31-13-03, and N.D.A.C. ch. 33-40-01.

IT IS FURTHER ORDERED, the Clerk of this Court deliver a copy of this Judgment and Commitment to the Sheriff or other appropriate officer as a commitment of the Defendant.

TERMS OF DISPOSITION: COUNT 2

Sentence Date: 9/6/2016

Offense Information:

Ct	Offense Date	Statute	Description	Degree	Offense Disposition
2		19-03.1-23	Possession of a Controlled Substance with Intent to Deliver Crack-Cocaine	Felony A	Pled Guilty

Disposition Details:**Commitments:**

Committed to: Cass County Sheriff
 Term: 153 day(s)
 Probation:
 Credit for Time Served: 153 day(s)
 Concurrent with Case# Counts 1, 3, 4, 5 and 09-2015-CR-619.

Fees:**Order of the Court and Conditions:**

Defendant is placed under the following conditions:

	Location	End Date	Comment
<i>Additional Conditions and Order of the Court.</i>			

IT IS FURTHER ORDERED, if the Court ordered a pre-sentence investigation in this case, then the defendant shall pay \$50.00 to the Department of Corrections and Rehabilitation pursuant to N.D.C.C. §12.1-32-02(10).

IT IS FURTHER ORDERED, if the defendant has been convicted after July 31, 2005 of any felony offense, then the defendant shall, as an additional condition of probation and as a separate Order of the Court, at the defendant's cost, submit to testing and provide a sample of blood or other body fluids to the North Dakota Department of Corrections and Rehabilitation or the Cass County Sheriff for DNA law enforcement identification purposes and inclusion in law enforcement identification data bases pursuant to N.D.C.C. ch.31-13, including N.D.C.C. § 31-13-03, and N.D.A.C. ch. 33-40-01.

IT IS FURTHER ORDERED, the Clerk of this Court deliver a copy of this Judgment and Commitment to the Sheriff or other appropriate officer as a commitment of the Defendant.

TERMS OF DISPOSITION: COUNT 3

Sentence Date: 9/6/2016

Offense Information:

Ct	Offense Date	Statute	Description	Degree	Offense Disposition
3		19-03.1-23(1)	Possession of a Controlled Substance w/Intent to Deliver	Felony A	Pled Guilty

Disposition Details:**Commitments:**

Committed to: Cass County Sheriff
 Term: 153 day(s)
 Probation:
 Credit for Time Served: 153 day(s)
 Concurrent with Case# Counts 1, 2, 4, 5 and 09-2015-CR-619.

Fees:**Order of the Court and Conditions:**

Defendant is placed under the following conditions:

	Location	End Date	Comment
<i>Additional Conditions and Order of the Court.</i>			

IT IS FURTHER ORDERED, if the Court ordered a pre-sentence investigation in this case, then the defendant shall pay \$50.00 to the Department of Corrections and Rehabilitation pursuant to N.D.C.C. §12.1-32-02(10).

IT IS FURTHER ORDERED, if the defendant has been convicted after July 31, 2005 of any felony offense, then the defendant shall,

as an additional condition of probation and as a separate Order of the Court, at the defendant's cost, submit to testing and provide a sample of blood or other body fluids to the North Dakota Department of Corrections and Rehabilitation or the Cass County Sheriff for DNA law enforcement identification purposes and inclusion in law enforcement identification data bases pursuant to N.D.C.C. ch.31-13, including N.D.C.C. § 31-13-03, and N.D.A.C. ch. 33-40-01.

IT IS FURTHER ORDERED, the Clerk of this Court deliver a copy of this Judgment and Commitment to the Sheriff or other appropriate officer as a commitment of the Defendant.

TERMS OF DISPOSITION: COUNT 4

Sentence Date: 9/6/2016

Offense Information:

Ct	Offense Date	Statute	Description	Degree	Offense Disposition
4		19-03.1-22.2	Endangerment Of Child	Felony C	Pled Guilty

Disposition Details:

Commitments:

Committed to: Cass County Sheriff
Term: 153 day(s)
Probation:
Credit for Time Served: 153 day(s)
Concurrent with Case# Counts 1, 2, 3, 5 and 09-2015-CR-619.

Fees:

Order of the Court and Conditions:

Defendant is placed under the following conditions:

	Location	End Date	Comment
<i>Additional Conditions and Order of the Court.</i>			

IT IS FURTHER ORDERED, if the Court ordered a pre-sentence investigation in this case, then the defendant shall pay \$50.00 to the Department of Corrections and Rehabilitation pursuant to N.D.C.C. §12.1-32-02(10).

IT IS FURTHER ORDERED, if the defendant has been convicted after July 31, 2005 of any felony offense, then the defendant shall, as an additional condition of probation and as a separate Order of the Court, at the defendant's cost, submit to testing and provide a sample of blood or other body fluids to the North Dakota Department of Corrections and Rehabilitation or the Cass County Sheriff for DNA law enforcement identification purposes and inclusion in law enforcement identification data bases pursuant to N.D.C.C. ch.31-13, including N.D.C.C. § 31-13-03, and N.D.A.C. ch. 33-40-01.

IT IS FURTHER ORDERED, the Clerk of this Court deliver a copy of this Judgment and Commitment to the Sheriff or other appropriate officer as a commitment of the Defendant.

TERMS OF DISPOSITION: COUNT 5

Sentence Date: 9/6/2016

Offense Information:

Ct	Offense Date	Statute	Description	Degree	Offense Disposition
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5	19-03.1-23(7)	Possession Of Controlled Substance	Misdemeanor B	Pled Guilty
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Disposition Details:**Commitments:**

Committed to: Cass County Sheriff Term: 30 day(s) Probation: Credit for Time Served: 30 day(s) Concurrent with Case# Counts 1, 2, 3, 4 and 09-2015-CR-619.
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Fees:**Order of the Court and Conditions:**

Defendant is placed under the following conditions:

Location	End Date	Comment
<i>Additional Conditions and Order of the Court.</i>		

Total amount owed:

Assessed	Waived	Total
\$1,035.00		\$1,035.00

Defendant's Signature _____

Hon. Steven L. Marquart _____

Sentenced on September 6, 2016 by District Court Judge

Date _____

Clerk of Court: Tracy Hines

(701)451-6924

If you have questions regarding the terms of your disposition, please contact your attorney, your probation agent or Clerk of Court's Office. All payments to be made at: Cass County Clerk of Court, 211 S. 9th St., Box 2806, Fargo, ND 58108

The Clerk of District Court's Office accepts Visa, MasterCard, or Discover Cards in person or via telephone. Payments can also be made online at <http://www.ndcourts.gov/publicsearch>

State of North Dakota Vs Clifton Terrell Cannon
09-2015-CR-03688

APPENDIX A:
CONDITIONS FOR SENTENCE TO PROBATION
DEFERRED OR SUSPENDED SENTENCE
PURSUANT TO THE ORDER OF THE COURT

The Defendant herein is placed under the supervision and management of the North Dakota Department of Correction and Rehabilitation.

The Defendant shall:

1. Not Commit another criminal offense during the period for which the probation remains subject to revocation.
2. Work faithfully at a suitable employment or faithfully pursue a course of study or of vocational training that will equip the Defendant for suitable employment.
3. Inform the probation officer immediately in the manner that the officer directs of changes of residence, employment, or other pertinent activities.
4. Answer truthfully all reasonable inquiries of the probation officer. The information shall be provided to the probation officer by written report, telephone, or a personal visit to the probation office as directed.
5. Permit the probation officer to visit at reasonable times at your home or elsewhere.
6. Report within 1 working day (Monday-Friday) after release from incarceration or being placed on probation to the North Dakota Parole and Probation at 461 34th Street South, Fargo, North Dakota. Telephone Number 239-7272.
7. Report to a probation office as directed by the court or a probation officer.
8. Not leave the State of North Dakota without permission from the probation officer.
9.
 - a. Not own, purchase, borrow, possess, use or carry any type of firearm, destructive device, or dangerous weapon unless granted written permission by the Court.
 - b. Not possess or use any type of surveillance equipment such as audio, video, motion detectors, scanners or any type of surveillance/counter surveillance equipment without written permission of the court.
 - c. Surrender to your probation officer any firearm, destructive device, dangerous weapon, or surveillance/counter surveillance equipment.
 - d. Not willfully defraud a urine test administered as a condition of probation.
10. Support any dependants.
11. Not gamble or enter any gaming sites without written permission by the probation officer,

unless no money is owing in this case.

12. Not use or possess alcoholic beverages nor enter any liquor, beer or wine establishment without written permission from the probation officer.
13. Not use or possess any controlled substance, except as prescribed by a licensed physician.
14. Not knowingly associate with users or traffickers in narcotics, marijuana, or other controlled substances.
15. Submit to a medical examination or other reasonable testing to include breath, blood, or urine samples for the purpose of determining the use of alcohol or controlled substances whenever requested by a probation officer.
16. Submit the Defendant's person, place of residence and vehicle, or any other property to which the Defendant has access, wherever they may be found, to search and seizure, with or without a search warrant at any time of day or night by any parole or probation officer or any law enforcement officer at the direction of the parole and probation officer.
17. Pay any financial obligation ordered, including any fine, fee, or restitution, to the Clerk of District Court. Unless otherwise ordered by the Court, said amounts to be paid no less than fifty dollars (\$50.00) per month. The total amount owed shall be paid not later than two months prior to the end of probation. An Order that a Defendant make restitution or reparation as a sentence or condition of probation may unless the court directs otherwise, be filed, transcribed, and enforced by the person entitled to the restitution or reparation in the same manner as civil judgment pursuant to N.D.C.C. § 12.1-32-08(1).
18. Pay a probation supervision fee of fifty-five dollars (\$55.00) per month during the period of probation pursuant to N.D.C.C. § 12.1-32-07 to the Division of Parole and Probation, unless the Court has made a specific finding on the record that the imposition of fees will result in an undue hardship.
19. Undergo any or all of the following agreed-to community constraints and conditions as intermediate measures of the Department of Corrections and Rehabilitation to avoid revocation pursuant to N.D.C.C. § 12.1-32-07(3):
 - a. Community Service - 240 hours of uncompensated hours worked within the community;
 - b. Day Reporting- Report to probation office daily for 90 days;
 - c. Curfew- At their residence from 10:00 p.m. to 6:00 a.m. for 180 days;
 - d. Home Confinement-Required to be at residence 12 hours a day for 90 days;
 - e. House Arrest- Required to be at residence 24 hours a day for 90 days;
 - f. Electronic Monitoring (EMS)- Electronically monitor the Defendant's compliance with curfew, home confinement or house arrest at the Defendant's expense for 90 days;
 - g. Residential/Half-way House - Contracted housing that provides structures and programming for 120 days;
 - h. Intensive Supervision program (ISP) - A restrictive program which may include all of the previously sanctions for 180 days;
 - i. Participation in the 24/7 Sobriety Program.

20. Perform the number of community service hours ordered, and pay the twenty-five dollars (25.00) statutory service fee. Community service hours are to be completed at the rate of no less than ten (10) hours every month until the entire obligation is fulfilled, unless otherwise ordered by the Court. Total community service hours shall be completed not later than two months prior to the end of probation.
21. Submit to placement on an electronic surveillance system (GPS/EMS) as directed by the Court or probation officer.
22. Obtain a diagnostic assessment through Southeast Human Service Center or its equivalent and follow through on any recommendations, if directed by probation officer or required by statute.
23. You shall attend, participate in, and successfully complete Thinking for a Change or similar approved cognitive behavioral change program at the request of your probation officer.
24. Comply with and successfully complete any conditions or requirements of the Court's Order for Judgment.

Dated September 6, 2016.

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09-2015-CR-03688

I, Tracy Hines, Clerk of the District Court, Cass County,
State of North Dakota, do hereby certify that this is a true
and complete copy of the original instrument filed in this
office. IN TESTIMONY WHEREOF, I have hereunto set my
hand and affixed the Seal of said Court at my office, in
Fargo, North Dakota this 14 day of August 2017

TRACY HINES
Clerk of the District Court

By MA nonup8 Deputy

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF CASS

EAST CENTRAL JUDICIAL DISTRICT

State of North Dakota,)
)
 Plaintiff,)
)
 vs.)
)
 Clifton Terrell Cannon,)
)
 Defendant(s).)
 _____)

INFORMATION

09-2015-CR-03688

SA#15-DG-00880

The Cass County State's Attorney charges that the above-named defendant(s) committed the following offense in Cass County, North Dakota:

Count 1: POSSESSION OF HEROIN WITH INTENT TO DELIVER OR MANUFACTURE in violation of Section 19-03.1-23(1)(a) & 19-03.1-05(4)(k), 12.1-32-01(2), N.D.C.C. in that on or about November 03, 2015: The defendant willfully possessed with intent to manufacture or deliver to another a controlled substance, namely heroin, to-wit: that on or about the above-stated date, the defendant, **CLIFTON TERRELL CANNON**, willfully possessed the schedule I controlled substance heroin with intent to deliver to another person at Street South in Fargo, Cass County, North Dakota.

Count 2: POSSESSION OF COCAINE WITH INTENT TO DELIVER OR MANUFACTURE in violation of Section 19-03.1-23(1)(a), 19-03.1-07(3)(d), 12.1-32-01(2), N.D.C.C. in that on or about November 03, 2015: The defendant willfully possessed with intent to manufacture or deliver to another a controlled substance, namely cocaine, to-wit: that on or about the above-stated date, the defendant, **CLIFTON TERRELL CANNON**, willfully possessed the schedule II controlled substance cocaine with intent to deliver to another person at Street South in Fargo, Cass County, North Dakota.

Count 3: POSSESSION OF HYDROMORPHONE WITH INTENT TO DELIVER OR MANUFACTURE in violation of Section 19-03.1-23(1)(a) & 19-03.1-07(3)(a)(11), N.D.C.C. in that on or about November 03, 2015: The defendant willfully possessed with intent to manufacture or deliver to another a controlled substance, namely hydromorphone, to-wit: that on or about the above-stated date, the defendant, **CLIFTON TERRELL CANNON**, willfully possessed the schedule II controlled substance hydromorphone with intent to deliver to another person at Street South in Fargo, Cass County, North Dakota.

Count 4: ENDANGERMENT OF CHILD OR VULNERABLE ADULT in violation of Section 19-03.1-22.2(1) & (2), N.D.C.C. in that on or about November 03, 2015: The defendant knowingly or intentionally caused or permitted a child or vulnerable adult to be exposed to, to ingest or inhale, or to have contact with a controlled substance, chemical substance, or drug paraphernalia, to-wit: that on or about the above-stated date, the defendant, **CLIFTON TERRELL CANNON**, knowingly or intentionally caused or permitted a six (6) month old child to be exposed to or inhale a controlled substance at Street South in

Fargo, Cass County, North Dakota.

Count 5: POSSESSION OF MARIJUANA in violation of Section 19-03.1-23(7), 19-03.1-05(5)(h), 12.1-32-01(6), N.D.C.C. in that on or about November 03, 2015: The defendant willfully possessed a controlled substance, namely marijuana, to-wit: that on or about the above-stated date, the defendant, **CLIFTON TERRELL CANNON**, willfully possessed less than one half ounce of the schedule I controlled substance marijuana at _____ Street South in Fargo, Cass County, North Dakota.

Against the peace and dignity of the State of North Dakota.

State's Witnesses:

Dated: November 4, 2015

TFO Dan Heidbreder
TFO Shane Orn
TFO Greg Smith
S/A Scott Voeltz
TFO Cody Beilke
S/A Zach Gauer
TFO Steve Sprecher
DUSM Mike Gravlin
DUSM Cole Johnson
DUSM Mitch Batty
Donavan Matthews
Tiffany Valnes
Crime Lab Forensic Scientist
Evidence Custodian

Penalty Section:

Count 1: 19-03.1-23(1)(a) & 19-03.1-05(4)(k), 12.1-32-01(2)

Class A felony

Count 2: 19-03.1-23(1)(a), 19-03.1-07(3)(d), 12.1-32-01(2)

Class A felony

Count 3: 19-03.1-23(1)(a) & 19-03.1-07(3)(a)(11)

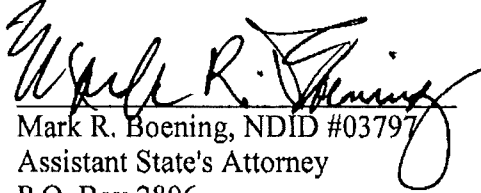
Class A felony

Count 4: 19-03.1-22.2(1) & (2)

Class C felony

Count 5: 19-03.1-23(7), 19-03.1-05(5)(h), 12.1-32-01(6)

Class B misdemeanor



Mark R. Boening, NDID #03797

Assistant State's Attorney

P.O. Box 2806

Fargo, North Dakota 58108

(701) 241-5850

sa-defense-notices@casscountynd.gov

I, Tracy Hines, Clerk of the District Court, Cass County,

State of North Dakota, do hereby certify that this is a true and complete copy of the original instrument filed in this office. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of said Court at my office, in Fargo, North Dakota this 14 day of August 2017

TRACY HINES

Clerk of the District Court

By MT namps Deputy